

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

O. Z. MARTIN,

Plaintiff, No. CIV S-05-0934 FCD EFB P

vs.

EDWARD JR. ALAMEIDA, et al.,

Defendants. ORDER

Plaintiff is a state prisoner without counsel seeking relief for alleged civil rights violations. *See* 42 U.S.C. § 1983. Defendants have filed a motion to vacate the pretrial dates established in the March 2, 2006, schedule. Pursuant to that schedule, plaintiff had until November 17, 2006, to file a pretrial statement, defendants had until December 1, 2006, to file a pretrial statement and the pretrial conference was set for December 8, 2006. The trial date is February 27, 2006.

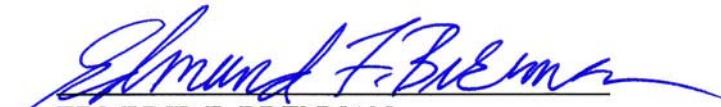
Defendants' September 27, 2006, motion for summary judgment is pending. Resolution of the motion may or may not dispose of the case without trial, or it may limit the issues and the witnesses and exhibits that will be presented at trial. Therefore, the parties cannot, despite diligence, comply with the above dates.

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1 Accordingly, the above dates are vacated. *See* Fed. R. Civ. P. 16(b). Upon resolution of  
2 the motion, new dates will be set if the case is not disposed of by the motion.

3 So ordered.

4 Dated: December 12, 2006.

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6 EDMUND F. BRENNAN  
7 UNITED STATES MAGISTRATE JUDGE  
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